

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101
Prepared by: Todd Vargo, Planner I

SUBJECT: Plat, P 8-1-01 Sheridan House No. 3, Miller Legg & Associates, Inc./Sheridan House, Inc., 1400 Flamingo Road/ Generally located at the southeast corner of Flamingo Road and SW 14 Street.

AFFECTED DISTRICT: District 3

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A BOUNDARY PLAT KNOWN AS SHERIDAN HOUSE NO. 3 AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE

REPORT IN BRIEF: The applicant requests approval of the resolution for the proposed boundary plat to be known as Sheridan House No. 3. The subject site consists of approximately 57.186 acres (2,491,022 square feet) for the proposed development of a residential facility. The plat provides for two access openings: a full access opening measuring 100 feet on the west edge of the plat located approximately 1200 feet north of the southwestern corner of the plat, and a second opening, a 50-foot access opening, is located along the frontage road along the northern edge of the plat.

The plat is divided into two parcels. Parcel A consists of 53.727 acres and is where the residential facility will be located. Parcel B is dedicated to the Town of Davie for an equestrian trail. Parcel B consists of 2.036 acres and is located on the eastern edge of the plat.

Also, along the southern and western limits the plat dedicates a total of 0.831 acres (36,205 square feet) of right-of-way. At the very northern edge of the plat, the plat dedicates 70 feet of right-of-way, totaling 0.59 acres (25,788 square feet) for SW 14 Street.

A 35-foot utility easement is shown along the eastern limits of the plat. This utility easement comprises the entire equestrian trail dedicated as part of Parcel B. There is also a 5-foot by 25-foot FPL Easement located on the western edge of the plat approximately 1250 feet north of the southwestern corner of the plat.

As well as the dedication of a 35-foot equestrian trail along the eastern limits, the plat also provides for a 5-foot recreational trail easement heading south from SW 14 Street and turning west along the frontage road on the northwest section.

The southwest corner of the plat has a conservation easement to be recorded in the Official Record Books of Broward County. There is also a special note on the plat prohibiting alteration and limiting permitted activities within the easement to those found in Exhibit 9 of the South Florida Water Management District Permit No. 06-03513-P.

The plat contains a note restricting the plat to "one Special Residential Facility Category (2) consisting of 8 units (16 dwelling unit equivalents), 2 accessory single family dwelling units, 35 villa units, 38,000 square feet of administration/accessory uses, and 5,000 square feet of day care center (day care center

is restricted to on-property residents' use only)." This restrictive note is in conformance with the voluntary deed restriction as entered into by Sheridan House Inc. and is pending recordation at Broward County Records.

PREVIOUS ACTIONS: None

CONCURRENCES: At the October 8, 2003 Planning and Zoning Board meeting, Ms. Lee made a motion, seconded by Mr. McLaughlin, to approve. Motion carried 4-1 with Chair Bender being opposed.

FISCAL IMPACT: N/A

RECOMMENDATION(S): Staff finds the subject application complete and suitable for transmittal to the Town Council for further consideration.

Attachment(s): Plat, Resolution, Future Land Use Map, Zoning and Aerial Map, Exhibit 1 - Breakdown of Bed Types

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A BOUNDARY PLAT KNOWN AS SHERIDAN HOUSE NO. 3 AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat of the subdivision to be known as Sheridan House No. 3 has been approved by the Town Planning and Zoning Board on October 8, 2003.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat of the boundary known as Sheridan House No. 3 is hereby approved subject to staff's recommendations and conditions on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign such plat on behalf of the Town and the Town Clerk is directed to affix to such plat the Town seal.

SECTION 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2003.

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2003.

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

Owner:

Name: Sheridan House, Inc.
Address: 4200 SW 54 Court
City: Fort Lauderdale, FL 33314
Phone: (954) 583-1552

Agent/Council:

Name: Miller Legg & Assoc.
Address: 1800 North Douglas Road
City: Pembroke Pines, FL 33024
Phone: (954) 436-7000

BACKGROUND INFORMATION

Application History: No deferrals have been requested.

Application Request: Approval of the resolution for the proposed boundary plat to be known as Sheridan House No. 3 for the proposed development of a Special Residential Facility Category (2) consisting of 8 units (16 dwelling unit equivalents) as defined by the Broward County Comprehensive Plan and the Town of Davie Comprehensive Plan, 2 accessory single family dwelling units, 35 villa units, 38,000 square feet of administration/accessory uses, 5,000 square feet of day care center (day care center is restricted to on-property residents' use only).

Address/Location: 1400 Flamingo Road/ Generally located at the southeast corner of Flamingo Road and SW 14 Street.

Future Land Use Plan Designation: Residential-1 (1 DU/AC)

Existing Use: Vacant

Existing Zoning: CF (Community Facilities)

Proposed Use: A residential facility consisting of single family homes, multi-family dwelling units, and related accessory non-residential uses such as offices and a multipurpose room.

Parcel Size: 57.186 acres (2,491,022.16 square feet)

Surrounding Uses:

North: Christian Fellowship Church and a vacant parcel
South: Vacant
East: Vacant / Old Bridge Run / Little Country Acres
West: Vacant and Calvary Chapel Church

Surrounding Future Land Use Plan Designation:

North: Residential 5 DU/AC
South: Residential-1 DU/AC
East: Residential-1 DU/AC
West: Residential-1 DU/AC

Surrounding Zoning:

North: CF, Community Facilities and R-5, Low Medium Density Dwelling District
South: AG, Agricultural District
East: A-1, Agricultural District and R-1, Estate Dwelling District, and AG, Agricultural District
West: AG, Agricultural District and A-1, Agricultural District, and R-1, Estate Dwelling District

ZONING HISTORY

Related Zoning History: None

Previous Request on same property: Town Council approved a special permit application, SE 1-1-03, on July 8, 2003. The special permit allowed for a residential facility consisting of single family homes, multi-family dwelling units, and related accessory non-residential uses such as offices and a multipurpose room.

On March 24, 2003 Town Council approved Resolution (R-2003-66) for a waiver to the scenic corridor requirements. This waiver was requested due to the location of a wetland mitigation site on the property.

On August 6, ~~2002~~ 2003 Town Council approved Ordinance 2003-27, a request to rezone the subject site from AG, Agricultural District to CF, Community Facilities District.

There is currently a site plan application for the subject site in for review by the Planning and Zoning Division.

APPLICATION DETAILS

The applicant's submission indicates the following:

1. *Site:* The site area consists of approximately 57.186 acres (2,491,022.16 square feet) for the proposed residential facility.
2. *Access:* The plat provides for two access openings. A full access opening measuring 100 feet is located on the west edge of the plat. The centerline of this 100-foot access opening is located approximately 1200 feet north of the southwestern corner of the plat. A second opening, a 50-foot access opening, is located along the frontage road along the northern edge of the plat, before the frontage road turns north to intersect with SW 14 Street. A Non Vehicular Access Line (NVAL) encircles the remainder of the property, inside the lands dedicated by the plat, further described below.
3. *Dedications:* The plat is divided into two parcels. Parcel A consists of 53.727 acres and is where the residential facility will be located. Parcel B is dedicated to the Town of Davie for an equestrian trail. Parcel B consists of 2.036 acres and is located on the eastern edge of the plat.

Also, along the southern and western limits the plat dedicates a total of 0.831 acres (36,205 square feet) of right-of-way. At the very northern edge of the plat, the plat dedicates 70 feet of right-of-way, totaling 0.59 acres (25,788 square feet) for SW 14 Street.

4. *Conservation:* The southwest corner of the plat has a conservation easement to be recorded in the Official Record Books of Broward County. There is also a special note on the plat prohibiting alteration and limiting permitted activities within the easement to those found in Exhibit 9 of the South Florida Water Management District Permit No. 06-03513-P.
5. *Utilities:* A 35-foot utility easement is shown along the eastern limits of the plat. This utility easement comprises the entire equestrian trail dedicated as part of Parcel B. There is also a 5-foot by 25-foot FPL Easement located on the western edge of the plat approximately 1250 feet north of the southwestern corner of the plat.
6. *Drainage:* The plat provides for three drainage easements on the western edge of the plat. The northernmost is a 30-foot by 40-foot easement and is located approximately 130 feet south of where the frontage road turns eastward along the northwest section of the plat. The second drainage easement is 30-foot by 35-foot in size and is located approximately 420 feet north of the southwestern corner of the plat. The third, and southernmost drainage easement, is located approximately 300 feet north of the southwestern corner of the plat. This third easement is 30-foot by 35-foot in size.

7. *Trails:* As mentioned above in Dedications, the plat provides for the dedication of a 35-foot equestrian trail along the eastern limits. The plat also provides for a 5-foot recreational trail easement heading south from SW 14 Street and turning west along the frontage road on the northwest section.
8. *Restrictive Note:* The plat contains a note restricting the plat to “one Special Residential Facility Category (2) consisting of 8 units (16 dwelling unit equivalents), 2 accessory single family dwelling units, 35 villa units, 38,000 square feet of administration/accessory uses, and 5,000 square feet of day care center (day care center is restricted to on-property residents’ use only).”

There is another restriction on the plat which states: “This property is subject to restrictions described in Agreement of Use Restrictions between Sheridan House, Inc. and the Town of Davie, recorded in O.R.B. __ Page __ B.C.R.” The O.R.B. and Page number will be filled in once the agreement is recorded. In addition to these restrictive notes on the plat, the voluntary deed restrictions limit the residential facility to a total of 164 beds as broken down in Exhibit 1 – Breakdown of Bed Types.

APPLICABLE CODES AND ORDINANCES

Section 12-360(B)(1) of the Land Development Code, platting requirements.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 2. Planning Area 2 includes the westernmost section of the Town north of Orange Drive and south of SW 14 Street, and bound on the west by Interstate 75 and on the east by SW 100 Avenue. The predominant existing and planned land use is single family residential at a density of one dwelling per acre.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 100.

Applicable Goals, Objectives & Policies: The proposed plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

Staff Analysis/ Findings of Fact

The purpose of this request is to allow development of the 57.186 acre subject site.

The restrictive note on the plat combined with the deed restrictions will effectively limit the use of the property and number of units that may be constructed to a total of 164 beds as broken down in the deed restrictions. The deed restrictions run with the land

and will require approval by Town Council if changes to the original intent for the site are ever contemplated.

The proposed use can be considered to be in harmony with the general intent and purpose of the code, and will not be detrimental to the public welfare. The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, use, location and size as long as the Special Permit remains valid in accordance with the Town of Davie Land Development Code Section 12-308(A)(2)(c).

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration. In addition, the following conditions must be met prior to final approval:

1. Approval shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. A mylar copy of the plat shall be provided to the Planning and Zoning Division upon recordation.
3. Approval shall be subject to the recordation of the Agreement of Use Restrictions between Sheridan House, Inc. and the Town of Davie. In the event the agreement is not recorded, the plat shall be deemed denied by the Town of Davie.

Planning and Zoning Board Recommendation

At the October 8, 2003 Planning and Zoning Board meeting, Ms. Lee made a motion, seconded by Mr. McLaughlin, to approve. Motion carried 4-1 with Chair Bender being opposed.

Exhibits

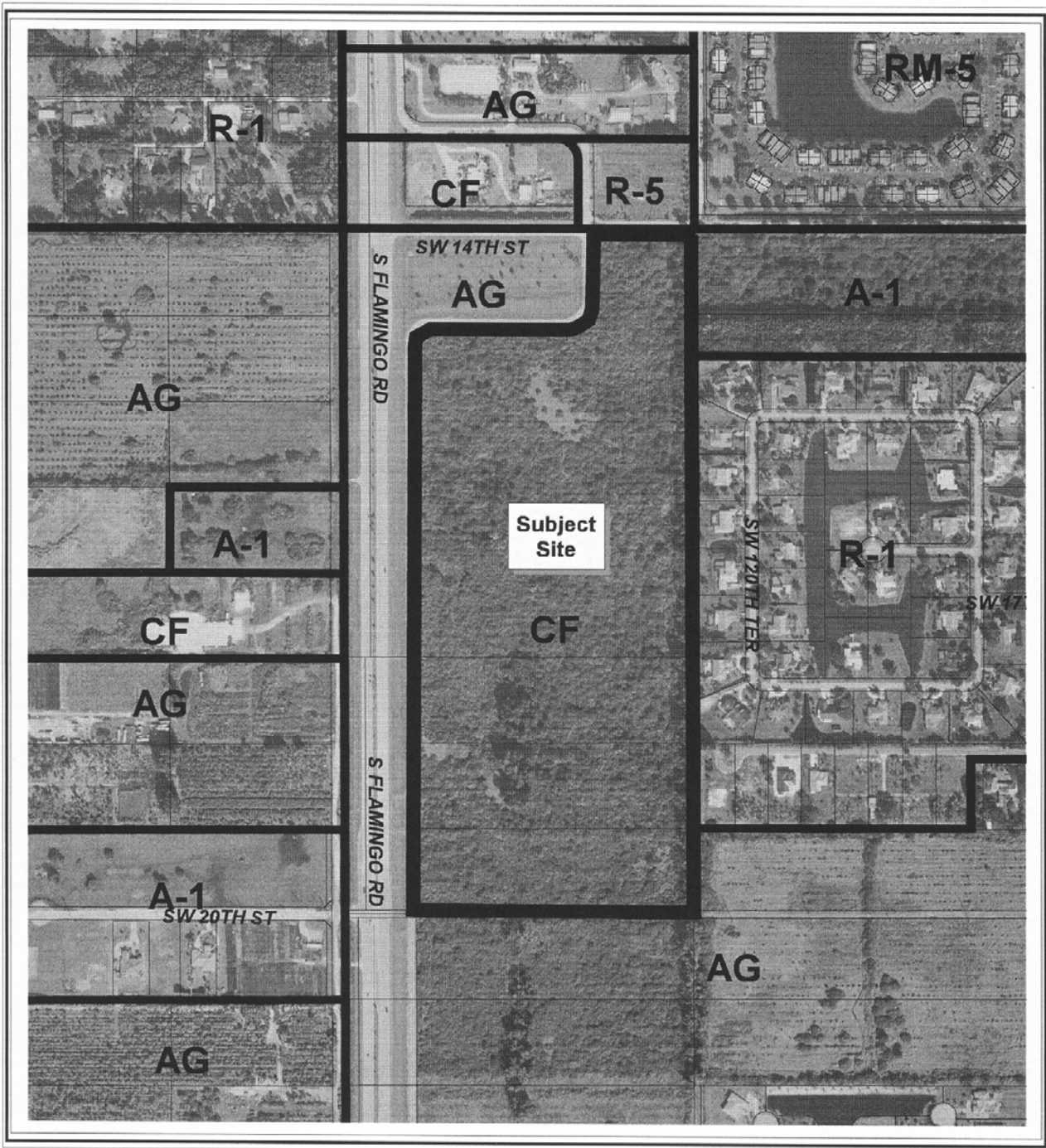
1. Plat
2. Future Land Use Map
3. Zoning and Aerial Map
4. Exhibit 1 - Breakdown of Beds Types

Prepared by: _____

Reviewed by: _____

Exhibit 1 – Breakdown of Bed Types

	Children	Adults/Staff	Total
Boys Homes	45	10	55
Girls Homes	18	6	24
Villas	50	25	75
Staff Residences	6	4	10



Date Flown:
12/31/00

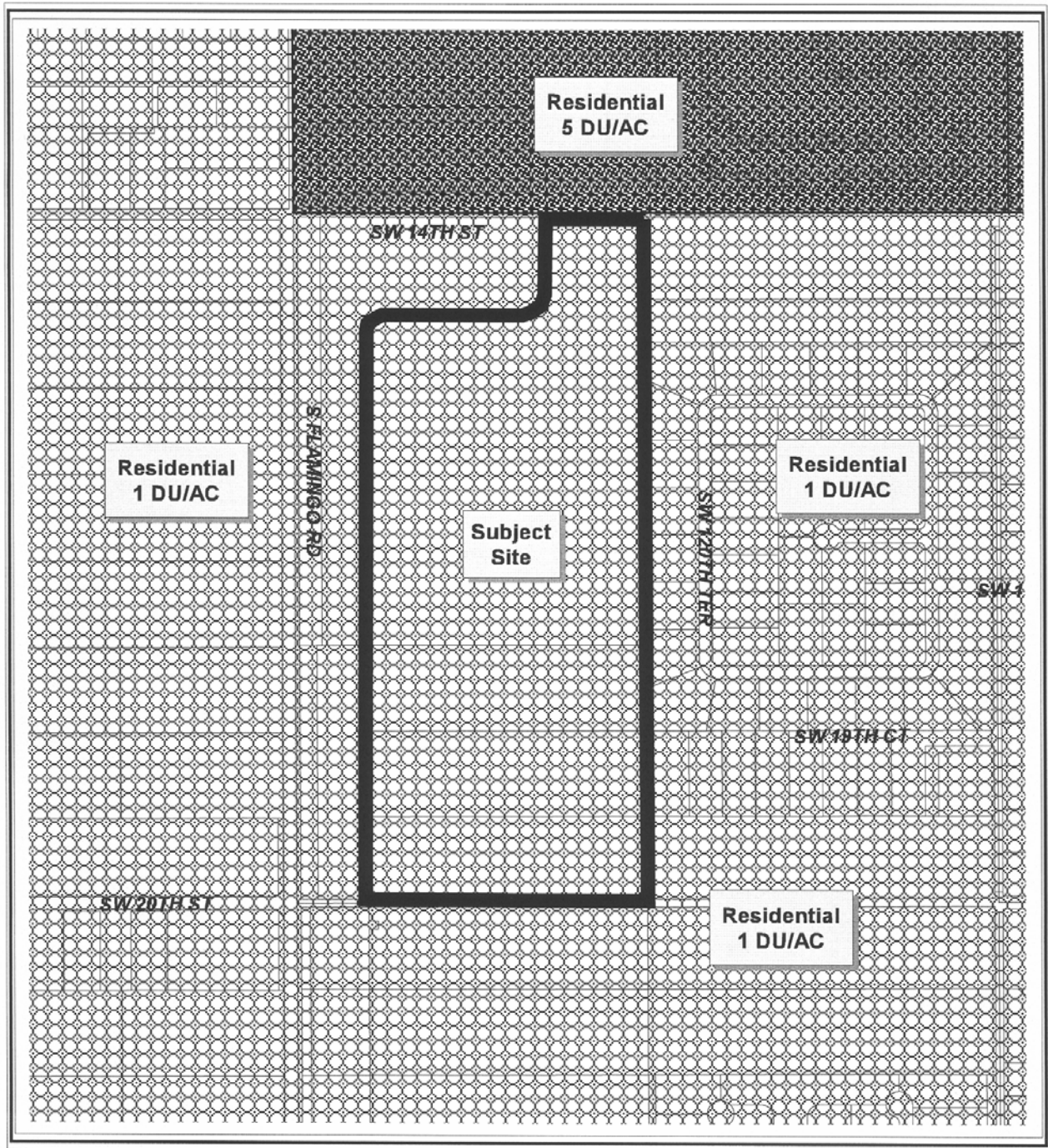


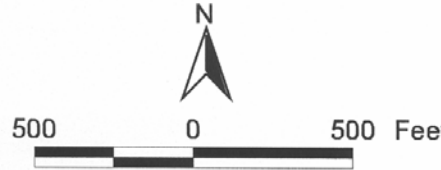

Planning & Zoning Division - GIS



PLAT P 8-1-01 Zoning and Aerial Map

Prepared By: TAV
Date Prepared: 9/8/03



 <p>Planning & Zoning Division - GIS</p>		<p>PLAT P 8-1-01 Future Land Use Map</p> <p>Prepared By: TAV Date Prepared: 9/8/03</p>
---	---	---

* * * * *

THIS PAGE
INTENTIONALLY
LEFT BLANK

* * * * *